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 HARPERCOLLINS PUBLISHERS LLC and
 CYNTHIA SASS

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

SHAKLEE CORPORATION,

Plaintiff,

v.

HARPERCOLLINS PUBLISHERS LLC, a
 Delaware Corporation, and CYNTHIA SASS, an
 individual,

Defendant.

CASE NO.: 11-00144-PSG

**STIPULATION AND [XXXXXXXXXXXXX]
 ORDER CONTINUING HEARING
 DATE ON PLAINTIFF'S MOTION
 FOR PRELIMINARY INJUNCTION**

WHEREAS, Plaintiff's Motion for Preliminary Injunction is currently set for hearing at 10:00 a.m. on February 15, 2011 before the Honorable Paul S. Grewal;

WHEREAS, the parties are presently engaged in settlement discussions which may moot the hearing and potentially resolve this litigation;

ACCORDINGLY, in order to ease the burden on the parties and this Court,
IT IS HEREBY STIPULATED AND AGREED that:

1. The parties have stipulated, and hereby respectfully request, that the Court continue the February 15, 2011 hearing to February 22, 2011, or as soon thereafter as the motion may be heard by the Court; and

2. The parties have stipulated that Defendants shall not use this stipulated continuance in any way, including to argue that Plaintiff has delayed in pursuing relief or that there is evidence of a lack of imminent harm.

Dated: February 12, 2011

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Charles T. Graves
Charles T. Graves

Attorneys for Plaintiff
SHAKLEE CORPORATION

Dated: February 12, 2011

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By: /s/ Darin W. Snyder
Darin W. Snyder

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HARPERCOLLINS PUBLISHERS LLC and
CYNTHIA SASS

PURSUANT TO STIPULATION, IT IS SO ORDERED. The hearing on Plaintiff's Motion for Preliminary Injunction shall be continued to February 28, 2011, at 10AM.

DATED: February 14, 2011

Paul S. Grewal
The Honorable Paul S. Grewal

DECLARATION OF CONSENT

Pursuant to General Order 45, the undersigned certifies that concurrence in the filing of this document was obtained from the other signatory.

Dated: February 12, 2011

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Charles T. Graves
Charles T. Graves

Attorneys for Plaintiff
SHAKLEE CORPORATION

